

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRANDON RESCH,

Plaintiff,

v.

Case No. 4:14-cv-13432
District Judge Terrence G. Berg
Magistrate Judge Anthony P. Patti

BAYDOUN, *et al.*,

Defendants.

**ORDER DENYING PLAINTIFF'S MOTIONS TO APPOINT COUNSEL
(DE 3) AND TO HOLD DEFENDANT'S DEMAND FOR COMPULSORY
JOINDER OF CLAIMS IN ABEYANCE (DE 17)**

Plaintiff Brandon Resch, a state inmate, filed his Complaint and Request to Proceed *in Forma Pauperis* on September 3, 2014. (DE 1, 2.) At the time he filed his Complaint, Plaintiff was proceeding without the assistance of counsel. This matter is before the Court for consideration of Plaintiff's September 3, 2014 Motion to Appoint Counsel (DE 3) and his November 25, 2014 Motion to Hold Defendant's Demand for Compulsory Joinder of Claims in Abeyance.¹ (DE 17.) For the reasons that follow, both Motions are **DENIED AS MOOT**.

¹ The demand to which Plaintiff refers appears on page four of Defendant Baydoun's Answer. (DE 11.)

In his Motion to Appoint Counsel, Plaintiff asserts that he is unable to afford counsel, that his imprisonment will greatly limit his ability to litigate and participate in a trial, and that he has made “repeated efforts to obtain a lawyer in this matter, to no avail.” (Mot. at ¶ 1-4, DE 3.) On February 16, 2015, Michael Dezsi, of the Law Office of Michael R. Dezsi, PLLC, filed his appearance as counsel for Plaintiff. (DE 23.) Because Plaintiff has obtained counsel in this matter, his Motion to Appoint Counsel is **DENIED WITHOUT PREJUDICE AS MOOT.** (DE 3.)

Similarly, in his Motion to Hold Defendants’ Demand for Compulsory Joinder of Claims in Abeyance, Plaintiff notes that he is “a true layman at law” and as such, requests that the Demand in Defendant’s Answer be held in abeyance to allow Plaintiff time to “understand the legalities of such a demand” and to make a proper response. (Mot. at ¶ 1, DE 17.) Because Plaintiff is now represented by counsel, his argument that he requires additional time to understand legal issues in this case is no longer at issue. Accordingly, Plaintiff’s Motion is **DENIED AS MOOT.** (DE 17.)

IT IS SO ORDERED.

Dated: March 4, 2015

s/Anthony P. Patti
Anthony P. Patti
UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on March 4, 2015, electronically and/or by U.S. Mail.

s/Michael Williams

Case Manager for the
Honorable Anthony P. Patti
(313) 234-5200